REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	11 June 2002
Name of applicant/court:	Secretary for Internal Affairs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	04ns001.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *04ns001.jpg* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The file explicitly depicts sexual activity in the nature of bondage in conjunction with female nudity, in that it shows a woman posing in a sexual manner with her hands bound and her wrists restrained and suspended by rope. While the woman has an anxious expression she does not appear distressed or coerced but rather presents as a model deliberately posing. The explicit content of bondage and nudity, presented in a manner clearly intended for viewer sexual arousal, makes the availability of the publication likely to be injurious to the public good unless it is restricted to an adult audience.

The classification of this publication as a restricted publication represents a limit on the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. However, considering the explicit and sexual nature of the publication, restricting the publication to an adult audience is considered to be the least intrusive option available to achieve the objective of preventing the likelihood of injury to the public good. The Classification Office believes that such a restriction is a reasonable limit that is consistent with the values of a free and democratic society.

OFLC Ref: 101539